

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

SAMUEL GIBSON,

Plaintiff,

v.

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

Case No. 04-74141

Hon. Gerald E. Rosen

Magistrate Judge Mona K. Majzoub

**ORDER ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on March 30, 2006

PRESENT: Honorable Gerald E. Rosen
United States District Judge

On October 5, 2005, Magistrate Judge Mona K. Majzoub issued a Report and Recommendation ("R & R") recommending that the Court grant in part Plaintiff Samuel Gibson's motion for summary judgment, deny the Defendant Commissioner of Social Security's motion for summary judgment, and remand this case to the Defendant Commissioner for further administrative proceedings. Neither party has filed objections to the R & R.

Having reviewed the R & R, the parties' underlying cross-motions, and the administrative record, the Court concurs in the Magistrate Judge's analysis, and adopts

the R & R in its entirety. Accordingly,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's October 5, 2005 Report and Recommendation is ADOPTED as the ruling of this Court. IT IS FURTHER ORDERED, for the reasons stated in the R & R, that Plaintiff's motion for summary judgment is GRANTED IN PART and DENIED IN PART, and that Defendant's motion for summary judgment is DENIED.

s/Gerald E. Rosen
Gerald E. Rosen
United States District Judge

Dated: March 30, 2006

I hereby certify that a copy of the foregoing document was served upon counsel of record on March 30, 2006, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry
Case Manager